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Attorneys for Complainant

**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 1D 2004 64028

ROBERTO S. CHUA, P.T.  
1301 Greenleaf  
Plano, Texas, 75022

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

Physical Therapist License No. PT 14915

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

**PARTIES**

1. Steven K. Hartzell (Complainant) is the Executive Officer of the Physical  
Therapy Board of California. He brought this action solely in his official capacity and is represented  
in this matter by Bill Lockyer, Attorney General of the State of California, by Daniel J. Turner,  
Deputy Attorney General.

2. Roberto S. Chua, P.T. (Respondent) represents himself in this matter.

3. On or about March 16, 1988, the Physical Therapy Board of California issued  
Physical Therapist License No. PT 14915 to Roberto S. Chua, P.T. (Respondent). The License was

1 in full force and effect at all times relevant to the charges brought in Accusation No. 1D 2004 64028  
2 and will expire on May 31, 2007, unless renewed.

3 JURISDICTION

4 4. Accusation No. 1D 2004 64028 was filed before the Physical Therapy Board  
5 of California (Board), Department of Consumer Affairs, and is currently pending against  
6 Respondent. The Accusation and all other statutorily required documents were properly served on  
7 Respondent on June 3, 2005. Respondent timely filed his Notice of Defense contesting the  
8 Accusation. A copy of Accusation No. 1D 2004 64028 is attached as Exhibit A and incorporated  
9 herein by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read and understands the charges and allegations in  
12 Accusation No. 1D 2004 64028. Respondent has also carefully read and understands the effects of  
13 this Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right  
15 to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel  
16 at his own expense; the right to confront and cross-examine the witnesses against him; the right to  
17 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
18 the attendance of witnesses and the production of documents; the right to reconsideration and court  
19 review of an adverse decision; and all other rights accorded by the California Administrative  
20 Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each  
22 and every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in  
25 Accusation No. 1D 2004 64028.

26 9. Respondent agrees that his Physical Therapist License is subject to discipline  
27 and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary  
28 Order below.

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CIRCUMSTANCES IN MITIGATION

10. Respondent Roberto S. Chua, P.T. has never been the subject of any disciplinary action. He is admitting responsibility at an early stage in the proceedings.

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Physical Therapy Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

12. This stipulation shall be subject to approval by the Physical Therapy Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Physical Therapy Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect and, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Roberto S. Chua, holder of Physical Therapist License No. PT 14915, is hereby publicly reprovod by the Physical Therapy Board of California for

1 violating Business and Professions Code section 141 [ Out of State Discipline] as set forth in  
2 Accusation No. 1D 2004 64028 (*see* Exhibit A).

3 IT IS FURTHER ORDERED that within 30 days from the effective date of this  
4 decision Respondent shall reimburse the Physical Therapy Board the amount of One Thousand Six  
5 Hundred Dollars (\$1,600) for the costs of the prosecution of the above-entitled matter.

6 Failure by Respondent to reimburse the Board for these costs shall constitute a  
7 violation of the Board's Order, and Respondent shall be subject to the provisions of Business and  
8 Professions Code section 2661.5 or any related statutes or regulations, unless the Board agrees in  
9 writing to payment by a revised payment plan because of financial hardship. The payment of these  
10 costs by Respondent is not tolled by his practice or residency outside of California.

11 The filing of bankruptcy by Respondent shall not relieve Respondent of his  
12 responsibility to reimburse the board for its investigation and prosecution costs.

13 If Respondent fails to pay the full amount of the cost recovery within the time limits  
14 set forth above, Complainant may seek relief pursuant to section 2661.5 of the Code or any related  
15 statutes or regulations.

16 IT IS ALSO ORDERED that Respondent's physical therapist license may not be  
17 renewed unless he is current and in compliance with his payments of the prosecution costs as set  
18 forth above in this Order.

19 ACCEPTANCE

20 I have carefully read the above Stipulated Settlement and Disciplinary Order. I  
21 understand the stipulation and the effect it will have on my Physical Therapist License. I enter into  
22 this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
23 to be bound by the Decision and Order of the Physical Therapy Board of California.

24 DATED: July 26, 2005.

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26 Original Signed By:  
27 ROBERTO S. CHUA, P.T.  
Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Physical Therapy Board of California of the Department of Consumer Affairs.

DATED: July 29, 2005

BILL LOCKYER, Attorney General  
of the State of California

Original Signed By:  
DANIEL J. TURNER  
Deputy Attorney General  
  
Attorneys for Complainant

**Exhibit A**

**Accusation No. 1D 2004 64028**

**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

ROBERTO S. CHUA, P.T.  
1301 Greenleaf  
Plano, Texas, 75022

Physical Therapist License No. PT 14915

Respondent.

Case No. 1D 2004 64028

OAH No.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Physical Therapy Board of California, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on November 14, 2005.

It is so ORDERED October 13, 2005.

Original Signed By: Donald A. Chu, P.T., President  
FOR THE PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS